

06-16-08

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Thomas A. MILLER, *et al.* Confirmation No. 1301  
 Serial Number : 10/594,483  
 Filing Date : March 3, 2008  
 TC/A.U. : 1625  
 Examiner : Not Yet Assigned  
 Docket No. : 24852-505 NATL  
 Customer No. : 35437  
 For : HISTONE DEACETYLASE INHIBITOR PRODRUGS

**OFFICE OF INITIAL PATENT EXAMINATION'S  
FILING RECEIPT CORRECTIONS**

Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

## TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Request for Corrected Filing Receipt (2 pages);
2. Copy of Corrected Filing Receipt with the change noted thereon (3 pages); and
3. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000, New York, New York.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. **50-0311**, Ref. No. **24852-505 NATL**, Customer No.: **35437**. A duplicate copy of this Transmittal Letter is enclosed herewith.

Respectfully submitted,

Dated: June 12, 2008

Michelle A. Iwamoto

Ivor Elrifi, Reg. No. 39,529  
 Michelle A. Iwamoto, Reg. No. 55,296  
 Attorneys/Agents for Applicants  
 c/o MINTZ, LEVIN, COHN, FERRIS, *et al.*  
 666 Third Avenue, 24<sup>th</sup> Floor  
 New York, New York 10017  
 Phone: (212) 935-3000  
 Fax: (212) 983-3115



Express Mail Label No.: EV942369136US

Date of Deposit: June 12, 2008

Attorney Docket No. 24852-505 NATL

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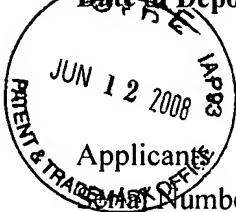
c/o MINTZ, LEVIN, COHN, FERRIS, *et al.*

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 Alexandria, VA 22313-1450

**REQUEST FOR CORRECTED FILING RECEIPT**

Applicants request a Corrected Filing Receipt for the above-mentioned non-provisional application. Applicants enclose a copy of the Filing Receipt with the correction noted thereon. Issuance of a corrected filing receipt is respectfully requested.

There is an error with respect to the following data, which was:

incorrectly entered

*and/or*

omitted.

<i>Error in</i>	<i>Correct data</i>
<input type="checkbox"/> Correct List of Applicants in the Correct Order (First, Last Name)	
<input type="checkbox"/> Applicants' Address	
<input checked="" type="checkbox"/> Assignment for Published Patent Application	<b>Merck HDAC Research, LLC, Boston, MA</b>
<input type="checkbox"/> Power of Attorney	
<input type="checkbox"/> Title	
<input type="checkbox"/> Filing Date	
<input type="checkbox"/> Serial Number	
<input type="checkbox"/> Foreign/PCT Application	

*Error in*

Continuing Data  
 Other

*Correct data*

Applicants believe no fees are due. However, the Director is authorized to charge any fees that may be due, or to credit any overpayment, to Deposit Account No. 50-0311, Reference No. 24852-505 NATL, Customer Number: 35437.

Other documents:

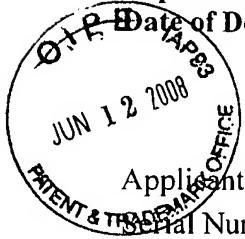
Copy of Filing Receipt with changes noted thereon [3 pages].

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New York, New York 10017  
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Fax: (212) 983-3115



UNITED STATES PATENT AND TRADEMARK OFFICE

*Corrected Filing Receipt*

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/594,483	03/03/2008	1625	1330	24852-505-NATL	32	1

CONFIRMATION NO. 1301

35437

MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO  
ATTN: PATENT INTAKE CUSTOMER NO. 35437  
ONE FINANCIAL CENTER  
BOSTON, MA 02111

FILING RECEIPT



OC000000030201317

RECEIVED

JUN 04 2008

Date Mailed: 06/02/2008

MINTZ LEVIN, BOSTON  
DOCKET DEPT.

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Thomas A. Miller, New York, NY;  
David J. Witter, Putnam Valley, NY;  
Sandro Belvedere, New York, NY;

Assignment For Published Patent Application

~~Alton Pharma, Inc., Boston, MA~~ ~~Merck HDAC Research, LLC, Boston, MA~~

Power of Attorney: The patent practitioners associated with Customer Number 35437

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US05/11463 04/05/2005  
which claims benefit of 60/559,715 04/05/2004

Foreign Applications

If Required, Foreign Filing License Granted: 05/29/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/594,483**

Projected Publication Date: 09/11/2008

Non-Publication Request: No

Early Publication Request: No

Done By	
<input checked="" type="checkbox"/> Data Entry	<u>KB</u>
<input type="checkbox"/> Docket Entry	
<input type="checkbox"/> Docket Cross Off	
<input type="checkbox"/> Previously Entered	
<input type="checkbox"/> No Docketing Req	
<input type="checkbox"/> ELITE	
<input type="checkbox"/> Annuities	

**Title**

Histone Deacetylase Inhibitor Prodrugs

**Preliminary Class**

514

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

### **LICENSE FOR FOREIGN FILING UNDER**

### **Title 35, United States Code, Section 184**

### **Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).